

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM DAVID COLEMAN,

Defendant.

No. CR-09-096-FVS

ORDER GRANTING MOTION AND
SETTING CONDITIONS
OF RELEASE

☒ Motion Granted
(Ct. Rec. 39)

☒ Action Required

Date of Motion hearing: September 30, 2009.

IT IS ORDERED that the release of the Defendant is subject to the following:

STANDARD CONDITIONS OF RELEASE

(1) Defendant shall not commit any offense in violation of federal, state or local law. Defendant shall advise the supervising Pretrial Services Officer and defense counsel within one business day of any charge, arrest, or contact with law enforcement.

(2) Defendant shall immediately advise the court, defense counsel and the U.S. Attorney in writing before any change in address and telephone number.

(3) Defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.

(4) Defendant shall sign and complete A.O. 199C before being released and shall reside at the address furnished.

(5) Defendant shall not possess a firearm, destructive device or other dangerous weapon.

(6) Defendant shall report to the United States Probation Office before or immediately after release and shall report as often as

1 they direct, at such times and in such manner as they direct.

2 _____
3 _____
4 (7) Defendant shall contact defense counsel at least once a week.

5 (8) Defendant is further advised, pursuant to 18 U.S.C. § 922(n),
6 it is unlawful for any person who is under indictment for a crime
7 punishable by imprisonment for a term exceeding one year, to
8 possess, ship or transport in interstate or foreign commerce any
firearm or ammunition or receive any firearm or ammunition which has
been shipped or transported in interstate or foreign commerce.

9 **BOND**

(9) Defendant shall:

10 ☐ Execute an unsecured appearance bond in the amount of
11 _____ dollars

12 (\$ _____) in the event of a failure to appear as required or
13 to surrender as directed for service of any sentence imposed.

14 ☐ Execute an unsecured appearance bond, to be co-signed by
15 _____, in the amount of
16 _____ dollars

17 (\$ _____) in the event of a failure to appear as required or
18 to surrender as directed for service of any sentence imposed.

19 ☐ Execute: ☐ \$ _____ corporate surety bond

20 ☐ \$ _____ property bond

21 ☐ \$ _____ cash bond

22 ☐ \$ _____ percentage bond, with
23 \$ _____ paid in cash

24 **ADDITIONAL CONDITIONS OF RELEASE**

25 Upon finding that release by one of the above methods will not by
26 itself reasonably assure the appearance of the Defendant and the

safety of other persons and the community,

IT IS FURTHER ORDERED that the release of the Defendant is subject to the following additional conditions:

☐ (10) The Defendant is placed with:

Name of person or organization

Address

City and State

Tele. Number

Signature

Date

who agrees to sign a copy of this Order, **to be kept in Pretrial Services' file**; supervise the Defendant consistent with all the conditions of release; use every effort to assure the appearance of the Defendant at all scheduled court proceedings; and notify the court immediately in the event the Defendant violates any conditions of release or disappears.

☐ (11) Maintain or actively seek lawful employment.

☐ (12) Maintain or commence an education program.

☐ (13) Surrender any passport to Pretrial Services and does not apply for a new passport.

☒ (14) Defendant shall remain in the:

☒ Eastern District of Washington or ☐ State of Washington

while the case is pending. On a showing of necessity, Defendant may obtain prior written permission to leave this area from the United States Probation Office.

☐ Exceptions:

1 ☒ (15) Avoid all contact, direct or indirect, with any persons who
2 are or who may become a victim or potential witness in the subject
3 investigation or prosecution, including but not limited to: Starr
4 Robinson, Minor A. Robinson, Kabrina Desautel, Lonaan Laverer, _____
5 _____
6 _____

7 ☐ (16) Avoid all contact, direct or indirect, with:

8 ☐ Known felons

9 ☐ Co-Defendant(s)

10 ☐ (17) Undergo medical or psychiatric treatment and/or remain in an
11 institution as follows:
12 _____

13 ☒ (18) Refrain from: ☒ any ☐ excessive use of alcohol

14 ☐ (19) There shall be no alcohol in the home where Defendant
15 resides.

16 ☒ (20) There shall be no firearms in the home where Defendant
17 resides.

18 ☒ (21) Refrain from use or unlawful possession of a narcotic drug
19 or other controlled substances defined in 21 U.S.C. § 802, unless
20 prescribed by a licensed medical practitioner.

21 ☐ (22) Except for employment purposes, Defendant shall not have
22 access to the internet, including cell phones with internet access.

23 ☐ (23) Defendant may not be in the presence of minors, unless a
24 responsible, knowledgeable adult is present at all times.

25 **SUBSTANCE ABUSE EVALUATION AND TREATMENT**

26 If Defendant is required to submit to a substance abuse evaluation,
27 inpatient or outpatient treatment, the following shall apply:

28 Defendant shall complete treatment indicated by an evaluation or
recommended by Pretrial Services and shall comply with all rules of
a treatment program. Defendant shall be responsible for the cost of

1 testing, evaluation and treatment, unless the United States
2 Probation Office should determine otherwise. The United States
3 Probation Office shall also determine the time and place of testing
4 and evaluation and the scope of treatment. If Defendant fails in
5 any way to comply or cooperate with the requirements and rules of a
6 treatment program, Pretrial Services shall notify the court and the
7 U.S. Marshal, who will be directed to immediately arrest the
8 Defendant.

9 Defendant shall participate in one or more of the following
10 treatment programs:

11 ☐ (24) **Substance Abuse Evaluation:** Defendant shall undergo a
12 substance abuse evaluation:

13 ☐ if directed by a U.S. Probation Officer.

14 ☐ as directed by a U.S. Probation Officer.

15 ☐ Prior to release, Defendant must have an appointment for a
16 substance abuse evaluation, and the appointment must be
17 confirmed to the court by Pretrial Services. Defendant will
18 be released:

19 ☐ one day prior to, or ☐ on the morning of his appointment.

20 ☐ (25) **Inpatient Treatment:** Defendant shall participate in an
21 intensive inpatient treatment program.

22 ☐ Prior to release, an available bed and date of entry must be
23 confirmed by Pretrial Services.

24 ☐ Defendant will be released to an agent of the inpatient
25 program on _____.

26 ☐ Prior to release from inpatient treatment, an outpatient
27 treatment program must be presented to the court. If
28 Defendant does not have a structured outpatient treatment
program in place prior to conclusion of inpatient treatment,
Defendant automatically will go back into the custody of the
U.S. Marshal.

☐ Following inpatient treatment, Defendant shall participate in

1 an aftercare program.

2 ☐ (26) **Outpatient Treatment:** Defendant shall participate in
3 intensive outpatient treatment.

4 ☐ Prior to release, an appointment for Defendant's first
5 counseling session must be made and confirmed by Pretrial
6 Services. Defendant will be released:

7 ☐ one day prior to, or ☐ on the morning of his appointment

8 ☐ (27) **Other:** _____

9 _____
10 _____
11 _____

12 ☐ (28) **Prohibited Substance Testing:** If random urinalysis testing
13 is not done through a treatment program, random urinalysis testing
14 shall be conducted through Pretrial Services, and shall not exceed
15 six (6) times per month. Defendant shall submit to any method of
16 testing required by the Pretrial Service Office for determining
17 whether the Defendant is using a prohibited substance. Such methods
18 may be used with random frequency and include urine testing, the
19 wearing of a sweat patch, a remote alcohol testing system, and/or
20 any form of prohibited substance screening or testing. Defendant
21 shall refrain from obstructing or attempting to obstruct or tamper,
22 in any fashion, with the efficiency and accuracy of prohibited
23 substance testing. Full mutual releases shall be executed to permit
24 communication between the court, Pretrial Services, and the
25 treatment vendor. Treatment shall not interfere with Defendant's
26 court appearances.

27 **HOME CONFINEMENT/ELECTRONIC/GPS MONITORING**

28 ☒ (29) Defendant shall participate in one or more of the following

1 home confinement program(s):

2 ☒ **Electronic Monitoring.** The Defendant shall participate in a
3 program of electronically monitored home confinement. The
4 Defendant shall wear, at all times, an electronic monitoring
5 device under the supervision of U.S. Probation. In the event the
6 Defendant does not respond to electronic monitoring or cannot be
7 found, the U.S. Probation Office shall forthwith notify the
8 United States Marshals' Service, who shall immediately find,
9 arrest and detain the Defendant. The Defendant shall pay all or
10 part of the cost of the program based upon ability to pay as
11 determined by the U.S. Probation Office.

12 ☐ **GPS Monitoring.** The Defendant shall participate in a program
13 of GPS confinement. The Defendant shall wear, at all times, a
14 GPS device under the supervision of U.S. Probation. In the event
15 the Defendant does not respond to GPS monitoring or cannot be
16 found, the U.S. Probation Office shall forthwith notify the
17 United States Marshals' Service, who shall immediately find,
18 arrest and detain the Defendant. The Defendant shall pay all or
19 part of the cost of the program based up ability to pay as
20 determined by the U.S. Probation Office.

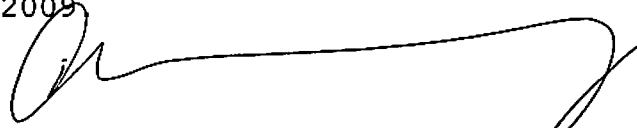
21 ☒ **Curfew.** Defendant shall be restricted to his/her residence:

22 ☒ every day from 6:00 p.m. to 6:00 a.m. *until electronic monitoring is in place*
23 ☐ as directed by the Pretrial Services Office

24 ☒ **Home detention.** Defendant shall be restricted to his/her
25 residence at all times except for: attorney visits; court
26 appearances; case-related matters; court-ordered obligations; or
27 other activities as pre-approved by the Pretrial Services Office
28 or supervising officer, as well as:

- 1 ☐ employment ☐ education ☒ religious services
2 ☒ medical, substance abuse, or mental health treatment
3 ☐ Maintain residence at a halfway house or community corrections
4 center, as deemed necessary by the Pretrial Services Office or
5 supervising officer.

6 DATED September 30, 2009

7 

8 _____
9 CYNTHIA IMBROGNO
UNITED STATES MAGISTRATE JUDGE